



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 36]

CHENNAI, THURSDAY, FEBRUARY 7, 2013
Thai 25, Nandhana, Thiruvalluvar Aandu-2044

Part IV—Section 1

Tamil Nadu Bills

BILL INTRODUCED IN THE LEGISLATIVE ASSEMBLY OF THE STATE OF TAMIL NADU

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 7th February 2013 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 3 of 2013

A Bill to provide for the constitution of a separate Special police youth brigade in the State of Tamil Nadu to attend the peripheral works entrusted to trained police personnel.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Special Police Youth Brigade Act, 2013.

Short title and
commence-
ment.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) “Government” means the State Government;

(b) “prescribed” means prescribed by rules;

(c) “youth brigade” means the Tamil Nadu Special Police Youth Brigade constituted under section 3.

3. (1) There shall be a separate police youth brigade in the State of Tamil Nadu called the Tamil Nadu Special Police Youth Brigade.

Constitution
of police
youth
brigade.

(2) The terms and conditions of service of the members of the youth brigade shall be such as may be prescribed.

Functions and duties of youth brigade.

4. The following shall be the functions and duties of the youth brigade:-

- (a) to drive the vehicles of the police Department;
- (b) to deliver tapal and Data Entry;
- (c) to maintain, police quarters; and
- (d) to assist the police force in prevention of loss of life of accident victims.

Control and direction.

5. (1) The general superintendence, direction and control of the youth brigade shall vest in, and be exercised by, the Government and subject thereto and to the provisions of this Act and rules, the command and supervision of the youth brigade shall vest in an officer to be authorised by the Government.

(2) The authorised officer shall, in the discharge of his duties under this Act, be assisted by such other officers as may be directed by the Government.

Selection of members of youth brigade.

6. (1) The members of youth brigade shall be selected by the authorised officer referred to in section 5, in such manner as may be prescribed.

(2) No person shall be selected as a member of the youth brigade unless he possess such qualifications as may be prescribed.

(3) Every member of the youth brigade shall be paid such honorarium as may be prescribed.

Liability for active service.

7. (1) Every member of the youth brigade shall be liable to serve in any part of the State of Tamil Nadu.

(2) Every member of the youth brigade, not on leave or under suspension, shall, for the purposes of this Act, be always on active service and may, at any time, be employed or deployed in any manner which is consistent with the duties and responsibilities of the youth brigade under this Act.

Training.

8. (1) Every member of youth brigade shall undergo such training for such period as may be prescribed.

(2) Every member of the youth brigade, who has successfully completed the training, may appear for the common State level examination to be specially conducted by the Tamil Nadu Uniformed Services Recruitment Board for youth brigade members for recruitment as police constable.

Suspension, termination, etc.

9. (1) Any member of the youth brigade may be suspended by the authorised officer referred to in section 5, if he neglects or refuses to discharge his duty without reasonable cause or commits any breach of discipline or found guilty of misconduct or physically unfit to continue or the continuance is detrimental to a good order, Welfare or discipline of the brigade or is prejudicial to the security of the State or any part thereof.

(2) The authorised officer under section 5 may, by order in writing, terminate the appointment of any member of the youth brigade in the public interest.

(3) A member of the youth brigade may, by writing under his hand addressed to the authorised officer referred to in section 5, withdraw himself from the youth brigade.

Appeal.

10. (1) Any member of the youth brigade aggrieved by an order under sub-section (2) of section 9 may, within thirty days from the date of such order, prefer an appeal to such authority as may be prescribed.

(2) The decision of the appellate authority shall be final and shall not be called in question in any court.

11. No suit, prosecution or other legal proceeding shall lie against any member of the youth brigade for anything which is in good faith done or purported to be done or omitted to be done in pursuance of this Act.

Protection of action taken under this Act.

12. (1) The Government may make rules for carrying out all or any of the purposes of this Act.

Power to make rules.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

(a) the terms and conditions of service of the members of the Tamil Nadu Special Police Youth Brigade under section 3;

(b) the manner in which a member of youth brigade shall be selected;

(c) the qualifications for selection as a member of youth brigade;

(d) the honorarium to be paid to a member of youth brigade;

(e) the authority to be prescribed under section 10;

(f) the areas of training and the duration of such training;

(g) any other matter which is required to be or may be prescribed

(3) All rules made under this Act, shall be published in the *Tamil Nadu Government Gazette* and unless they are expressed to come into force on a particular day shall come into force on the day on which they are so published.

(4) Every rule made under this Act shall, as soon as possible after it is made, be placed on the table of the Legislative Assembly, and if, before the expiry of the session in which it is so placed or the next session, the Assembly makes any modification in any such rule or the Assembly decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

In the recent past, due to multi-dimensional change in the social and economic sphere, the police force is engaged in several peripheral functions which are not akin to the duties of a trained police force. With a view to obviate this difficulty, the Government have decided to create a police youth brigade to attend such peripheral functions so that the trained police personnel shall be fully utilized for the core police functions such as law and order, crime control and investigation to an optimum level and thereby they can discharge the task of policing effectively. The Government have, therefore, decided to enact a law to constitute a separate police youth brigade in the State.

2. The Bill seeks to give effect to the above decision.

J JAYALALITHAA

Chief Minister

FINANCIAL MEMORANDUM

Tamil Nadu Special Police Youth Brigade Bill 2013, which when enacted and brought in to operation would involve expenditure from the Consolidated fund of State in the implementation of the Act. It is however not possible at this stage to estimate with any degree of accuracy the expenditure to be incurred as a result of the proposed legislation.

J JAYALALITHAA
Chief Minister

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clauses 1(2), 3(2), 5, 6, 8(1), 10(1) and 12 of the Bill authorise the Government to issue Notifications or orders or make rules, as the case may be, for the purposes specified therein. The powers delegated are normal and not of an exceptional character.

J JAYALALITHAA

Chief Minister

A.M.P. JAMALUDEEN

Secretary